

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 1, 2004

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JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 1, 2004

The Senate met in regular session at 8:35 a.m., President Lamberti presiding.

Prayer was offered by the Reverend Vince Homan, pastor of the What Cheer United Methodist Church in What Cheer, Iowa. He was the guest of Senator Schuerer.

The Journal of Wednesday, March 31, 2004, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zieman, for the day, on request of Senator Iverson.

The Senate stood at ease at 8:43 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:43 a.m., President Pro Tempore Angelo presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration [House File 2396](#).

House File 2396

On motion of Senator Tinsman, [House File 2396](#), a bill for an act relating to recovery of prejudgment interest in relation to an offer to confess judgment, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [House File 2396](#) be **deferred**.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration [Senate File 2295](#).

Senate File 2295

On motion of Senator Sievers, [Senate File 2295](#), a bill for an act allowing individual income tax credits for contributions made to certain school tuition organizations and including an applicability date provision, was taken up for consideration.

The Senate stood at ease at 9:47 a.m. until the fall of the gavel for the purpose of a Democratic caucus.

The Senate resumed session at 10:20 a.m., President Pro Tempore Angelo presiding.

Senator Sievers asked and received unanimous consent that action on [Senate File 2295](#) be **deferred**.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Boettger called up the appointment of Jenny Rokes, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on February 17, 2004, and found on page 247 of the Senate Journal.

Senator Redfern moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson	Zieman
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration House Files 2366, 2327, and 2401.

[House File 2366](#)

On motion of Senator Dearden, [House File 2366](#), a bill for an act relating to the use of blaze orange apparel by hunters and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2366](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson	Zieman
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 2327](#)

On motion of Senator Seymour, [House File 2327](#), a bill for an act relating to child abuse assessment requirements involving notification of parents, interviews of persons alleged to have committed child abuse, and training of child protection workers, with report of committee recommending passage, was taken up for consideration.

Senator Seymour moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2327](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour

Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 2401](#)

On motion of Senator Johnson, [House File 2401](#), a bill for an act relating to the comprehensive petroleum underground storage tank fund and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2401](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson

Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Boettger asked and received unanimous consent that **House Files 2327, 2366, and 2401** be **immediately messaged** to the House.

SPECIAL GUEST

Senator Horn welcomed to the Senate chamber the Honorable Norman Rodgers, former member of the Senate from Dallas County.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration House Files 2530, 2432, and 2393.

[House File 2530](#)

On motion of Senator Holveck, [House File 2530](#), a bill for an act relating to the assessment of surcharges in criminal proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on [House File 2530](#) be **deferred**.

[House File 2432](#)

On motion of Senator Dearden, [House File 2432](#), a bill for an act relating to the issuance of free deer and wild turkey hunting licenses to certain landowners and other persons, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2432](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson	Zieman
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 2393](#)

On motion of Senator Black, [House File 2393](#), a bill for an act relating to the regulation of target shooting near buildings and feedlots and the regulation of public hunting near buildings and feedlots and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Brunkhorst offered amendment [S-5124](#), filed by the committee on Natural Resources and Environment on March 23, 2004, to page 1 of the bill.

Senator Brunkhorst asked and received unanimous consent that action on amendment [S-5124](#) be deferred.

Senator Brunkhorst offered amendment [S-5228](#), filed by Senators Brunkhorst and Black on March 31, 2004, to page 1 of the bill.

Senator Lundby asked and received unanimous consent that action on amendment [S-5228](#) and [House File 2393](#) be **deferred** (amendment [S-5124](#) pending).

IMMEDIATELY MESSAGED

Senator Boettger asked and received unanimous consent that [House File 2432](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration House Files 2419, 2462, and 2441.

[House File 2419](#)

On motion of Senator Connolly, [House File 2419](#), a bill for an act relating to the number of signatures required on nomination petitions for school board elections, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2419](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward

Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson	Zieman
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 2462](#)

On motion of Senator McKinley, [House File 2462](#), a bill for an act directing the department of human services to implement child welfare diversion and mediation pilot projects, with report of committee recommending passage, was taken up for consideration.

Senator McKinley asked and received unanimous consent that action on [House File 2462](#) be **deferred**.

[House File 2441](#)

On motion of Senator Holveck, [House File 2441](#), a bill for an act relating to the statutory duties of the commission of Latino affairs regarding Spanish language interpreter qualifications, with report of committee recommending passage, was taken up for consideration.

Senator Holveck moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2441](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman

Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Boettger asked and received unanimous consent that **House Files 2419** and **2441** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration House Files 2471, 2517, and 2484.

[House File 2471](#)

On motion of Senator Miller, [House File 2471](#), a bill for an act relating to a prisoner from another state being detained or committed to a county jail in this state, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [House File 2471](#) be **deferred**.

[House File 2517](#)

On motion of Senator Black, [House File 2517](#), a bill for an act relating to environmental regulations administered by the department of natural resources regarding the use of recycled oil and

the calculation of waste volume reduction measures, with report of committee recommending passage, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2517](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson	Zieman
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 2484](#)

On motion of Senator Wieck, [House File 2484](#), a bill for an act relating to the regulation of financial institutions including banks, credit unions, and real property loan lenders, with report of committee recommending passage, was taken up for consideration.

Senator Wieck asked and received unanimous consent that action on [House File 2484](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Boettger asked and received unanimous consent that [House File 2517](#) be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gronstal, until he returns, on request of Senator Kibbie.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration House Files 2475 and 2527.

[House File 2475](#)

On motion of Senator Seng, [House File 2475](#), a bill for an act relating to persons doing business as swine dealers and persons engaged in the business of buying or selling feeder pigs and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2475](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kreiman	Schuerer
Beall	Fraise	Lamberti	Seng
Behn	Gaskill	Lundby	Seymour
Black	Hatch	McCoy	Shull
Boettger	Holveck	McKibben	Sievers
Bolkcom	Horn	McKinley	Stewart
Brunkhorst	Hosch	Miller	Tinsman
Connolly	Houser	Putney	Veenstra
Courtney	Iverson	Quirnbach	Ward
Dearden	Johnson	Ragan	Warnstadt
Dotzler	Kettering	Redfern	Wieck
Drake	Kibbie	Rehberg	

Nays, none.

Absent, 3:

Gronstal Larson Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2527

On motion of Senator Hatch, [House File 2527](#), a bill for an act relating to the provision of a copy of a certificate of birth to a biological parent, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman offered amendment [S-5164](#), filed by him on March 29, 2004, to page 1 of the bill, and moved its adoption.

Amendment [S-5164](#) was adopted by a voice vote.

Senator Hatch moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2527](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

[Senate File 2295](#)

The Senate resumed consideration of [Senate File 2295](#), a bill for an act allowing individual income tax credits for contributions made to certain school tuition organizations and including an applicability date provision, previously deferred.

Senator Connolly offered amendment [S-5245](#), filed by him from the floor striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5245](#) be adopted?” ([S.F. 2295](#)), the vote was:

Yeas, 20:

Beall	Dearden	Hatch	McCoy
Black	Dotzler	Holveck	Quirnbach
Bolkcom	Dvorsky	Horn	Ragan
Connolly	Fraise	Kibbie	Stewart
Courtney	Gronstal	Kreiman	Warnstadt

Nays, 28:

Angelo	Houser	McKinley	Seymour
Behn	Iverson	Miller	Shull
Boettger	Johnson	Putney	Sievers
Brunkhorst	Kettering	Redfern	Tinsman
Drake	Lamberti	Rehberg	Veenstra
Gaskill	Lundby	Schuerer	Ward
Hosch	McKibben	Seng	Wieck

Absent, 2:

Larson	Zieman
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Amendment [S-5245](#) lost.

Senator Sievers offered amendment [S-5229](#), filed by Senators Sievers and McCoy on March 31, 2004, to pages 2 and 3 of the bill, and moved its adoption.

Amendment [S-5229](#) was adopted by a voice vote.

Senator Sievers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2295](#)), the vote was:

Yeas, 33:

Angelo	Hosch	McKinley	Sievers
Beall	Iverson	Miller	Stewart
Behn	Johnson	Putney	Veenstra
Boettger	Kettering	Redfern	Ward
Brunkhorst	Kibbie	Rehberg	Warnstadt
Connolly	Lamberti	Schuerer	Wieck
Drake	Lundby	Seng	
Fraise	McCoy	Seymour	
Gaskill	McKibben	Shull	

Nays, 15:

Black	Dotzler	Holveck	Quirnbach
Bolkcom	Dvorsky	Horn	Ragan
Courtney	Gronstal	Houser	Tinsman
Dearden	Hatch	Kreiman	

Absent, 2:

Larson	Zieman
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration [House File 2193](#).

[House File 2193](#)

On motion of Senator Ward, [House File 2193](#), a bill for an act relating to determining compliance with course of study requirements regarding cosmetology licensure, with report of committee recommending passage, was taken up for consideration.

Senator Ward offered amendment [S-5246](#), filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5246](#) was adopted by a voice vote.

Senator Ward moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2193](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Kibbie	Rehberg
Beall	Fraise	Kreiman	Schuerer
Behn	Gaskill	Lamberti	Seng
Black	Gronstal	Lundby	Seymour
Boettger	Hatch	McCoy	Shull
Bolkcom	Holveck	McKibben	Sievers
Brunkhorst	Horn	McKinley	Stewart
Connolly	Hosch	Miller	Tinsman
Courtney	Houser	Putney	Veenstra
Dearden	Iverson	Quirnbach	Ward
Dotzler	Johnson	Ragan	Warnstadt
Drake	Kettering	Redfern	Wieck

Nays, none.

Absent, 2:

Larson Zieman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration [House File 2392](#).

[House File 2392](#)

On motion of Senator Johnson, [House File 2392](#), a bill for an act relating to controlled burns of demolished buildings conducted by certain cities, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2392](#)), the vote was:

Yeas, 36:

Angelo	Horn	Lundby	Seng
Beall	Hosch	McKibben	Seymour
Behn	Houser	McKinley	Shull
Boettger	Iverson	Miller	Sievers
Brunkhorst	Johnson	Putney	Stewart
Dearden	Kettering	Ragan	Tinsman
Drake	Kibbie	Redfern	Veenstra
Fraise	Kreiman	Rehberg	Ward
Gaskill	Lamberti	Schuerer	Wieck

Nays, 12:

Black	Courtney	Gronstal	McCoy
Bolkcom	Dotzler	Hatch	Quirnbach
Connolly	Dvorsky	Holveck	Warnstadt

Absent, 2:

Larson	Zieman
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2295](#) and **House Files 2193, 2392, 2475, and 2527** be **immediately messaged** to the House.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

S.F.2078/att.	HF 2262	H.F. 2231	H.F. 2447
S.F. 2102		H.F. 2259	H.F. 2451
S.F. 2155		H.F. 2328	H.F. 2467
S.F. 2236		H.F. 2352	H.F. 2468
S.F. 2248		H.F. 2357	H.F. 2473
S.F. 2251		H.F. 2378	H.F. 2480
S.F. 2262		H.F. 2390	H.F. 2481
S.F. 2263		H.F. 2395	H.F. 2486
S.F. 2277		H.F. 2398	H.F. 2489
H.F. 22		H.F. 2402	H.F. 2505
H.F. 265		H.F. 2418	H.F. 2518
H.F. 561		H.F. 2433	H.F. 2521
H.F. 2200		H.F. 2434	H.F. 2528

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 12:51 p.m. until 10:00 a.m., Monday, April 5, 2004.

APPENDIX**APPOINTMENT**

The following appointee was submitted to the Secretary of the Senate for Senate confirmation (appointee submitted as **member** unless otherwise specified):

BY THE GOVERNOR**TERM**

IOWA EMPOWERMENT BOARD FACILITATOR (Sec. 28.3(6)(b))

Shanell K. Wagler, Panora

02/02/2004 – Pleasure of the Governor

The appointment was referred to the committee on **Rules and Administration**.

**REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointment to state board to a Senate standing committee, as indicated for investigation on April 1, 2004:

HUMAN RESOURCES

Shanell K. Wagler – Iowa Empowerment Board Facilitator

APPOINTMENT TO BOARD

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of the standing committee on April 1, 2004, to investigate the appointment of the following appointee:

HUMAN RESOURCES

As Iowa Empowerment Board Facilitator:

SHANELL K. WAGLER – Veenstra, Chair; Boettger and Ragan

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to the standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

HUMAN RESOURCES

Shanell K. Wagler – Iowa Empowerment Board Facilitator

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Andrew Dehner, Wheatland—For receiving the University of Iowa Presidential Scholarship. Senator Sievers (4/5/04).

Stacia Johns, Williamsburg—For participating in the Capitol Project '04 "Students Experiencing Government." Senator Schuerer (3/31/04).

Laura Meade, Williamsburg—For participating in the Capitol Project '04 "Students Experiencing Government." Senator Schuerer (3/31/04).

Paige Miller, Burlington—For receiving the University of Iowa Dean's Scholarship. Senator Courtney (3/31/04).

Kaitlin Pals, Belmond—For receiving the Presidential Scholarship awarded by the University of Iowa. Senator Iverson (4/5/04).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventh-graders from North Iowa Middle School in Thompson, accompanied by teachers Diane Coy and Brad Ewest. Senator Gaskill.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: April 1, 2004, 1:40 p.m.

Members Present: Veenstra, Chair; Seymour, Vice Chair; Ragan, Ranking Member; Behn, Boettger, Hatch, Holveck, Horn, Hosch, Kreiman, McKinley, Schuerer, and Tinsman.

Members Absent: None.

Committee Business: Passed [SF 2301](#) and approved the Governor's appointee.

Adjourned: 1:50 p.m.

RULES AND ADMINISTRATION

Convened: April 1, 2004, 1:00 p.m.

Members Present: Iverson, Chair; Lamberti, Vice Chair; Gronstal, Ranking Member; Boettger, Courtney, Drake, Dvorsky, Gaskill, Ragan, Sievers, and Wieck.

Members Absent: None.

Committee Business: Referred a Governor's appointee to the Human Resources committee.

Adjourned: 1:05 p.m.

WAYS AND MEANS

Convened: April 1, 2004, 2:00 p.m.

Members Present: McKibben, Chair; Shull, Vice Chair; Bolkcom, Ranking Member; Angelo, Connolly, Dotzler, Hosch, McCoy, McKinley, Miller, Putney, Rehberg, Seng, Stewart, and Wieck.

Members Absent: Quirnbach and Sievers (both excused).

Committee Business: Passed [SF 2003](#) and HFs 2541 and 2551.

Adjourned: 2:30 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 148](#), by Warnstadt, Houser, Seymour, Wieck, Gronstal, Kettering, Veenstra, Connolly, Lundby, Black, Kibbie, Ragan, Beall, Stewart, Quirnbach, Courtney, Fraise, Dvorsky, Shull, Dotzler, Kreiman, Hatch, McCoy, Bolkcom, Dearden, Holveck, Horn, and Johnson, a resolution urging the United States Congress to appropriate funds to the National Park Service to assist state and local governments and private landowners in developing a comprehensive plan to preserve and restore the Loess Hills in Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Resolution 149](#), by Tinsman, Miller, and Brunkhorst, a resolution requesting the establishment of a committee to study and make recommendations related to the use of inmate labor for repair or improvement projects at state institutions.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Resolution 150](#), by McKibben, a resolution honoring the city of Alden on its sesquicentennial anniversary year.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

[Senate File 2303](#), by committee on Ways and Means, a bill for an act providing for an individual income tax deduction for contributions made to a qualified tuition program established by certain educational institutions and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENT

[House File 2541](#)

WAYS AND MEANS: Shull, Chair; McKibben and Seng

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE FILE 2301](#), a bill for an act relating to crimes against members of the species homo sapiens at any stage of development and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Veenstra, Seymour, Behn, Boettger, Hosch, McKinley, and Schuerer. Nays, 6: Ragan, Hatch, Holveck, Horn, Kreiman, and Tinsman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 2303](#) (formerly [SF 2003](#)), a bill for an act providing for an individual income tax deduction for contributions made to a qualified tuition program established by certain educational institutions and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKibben, Shull, Bolkcom, Angelo, Connolly, Dotzler, Hosch, McCoy, McKinley, Miller, Putney, Rehberg, Seng, Stewart, and Wieck. Nays, none. Absent, 2: Quirnbach and Sievers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2541](#), a bill for an act relating to utility replacement taxes by redefining major additions for purposes of allocating replacement taxes to taxing districts, requiring certain taxpayers to report estimated replacement taxes, and changing or establishing certain reporting dates and including effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKibben, Shull, Bolkcom, Angelo, Connolly, Dotzler, Hosch, McCoy, McKinley, Putney, Rehberg, Seng, Stewart, and Wieck. Nays, none. Absent, 3: Miller, Quirnbach, and Sievers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2551](#), a bill for an act relating to programs under the authority of the department of public health.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKibben, Shull, Bolkcom, Angelo, Connolly, Dotzler, Hosch, McCoy, McKinley, Putney, Rehberg, Seng, Stewart, and Wieck. Nays, none. Absent, 3: Miller, Quirnbach, and Sievers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5241	H.F. 2481	Keith A. Kreiman
S-5242	H.F. 2481	Keith A. Kreiman
S-5243	H.F. 2484	Ron Wieck
S-5244	H.F. 2434	Doug Shull
		John Putney
		Daryl Beall
S-5245	S.F. 2295	Mike Connolly
S-5246	H.F. 2193	Pat Ward
S-5247	S.F. 2215	Paul McKinley
S-5248	H.F. 2396	Keith A. Kreiman
S-5249	H.F. 2530	Robert E. Dvorsky
S-5250	H.F. 2462	Keith A. Kreiman
S-5251	H.F. 2447	Dick L. Dearden
		Bob Brunkhorst
S-5252	H.F. 2471	Keith A. Kreiman
S-5253	H.F. 2481	Jack Holveck